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10 **UNITED STATES DISTRICT COURT**
FOR THE DISTRICT OF NEVADA

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16 UNITED STATES OF AMERICA,
Plaintiff,
v.
LEONARDO RUIZ-GALLEGOS,
Defendant.

Case No. 2:22-mj-00728-BNW

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24 **Stipulation to Continue the Preliminary
Examination Date and Exclude Time Under
the Speedy Trial Act
(First Request)**

IT IS HEREBY STIPULATED AND AGREED by and between, JASON M. FRIERSON, United States Attorney, District of Nevada, Edward G. Veronda, Assistant United States Attorney, representing the United States of America, and Heidi Ojeda, Esq., representing Defendant Ruiz-Gallegos, that the Preliminary Examination date in the above captioned case, which is currently scheduled for November 22, 2022 at 3:00 P.M., be continued to a date and time convenient for the Court, but no sooner than 60 days from the current setting. The parties also stipulate to an extension of the 60-day period under 18 U.S.C. § 3161(b) in which an indictment or information must be returned.

1. The parties require additional time to discuss the potential for a Pre-Indictment
2. negotiation.
3. Defendant's retained counsel, barred in the State of California, will be applying in the
4. District of Nevada to represent defendant as *pro hoc vice* counsel, to substitute current
5. counsel. Defendant's retained counsel will need additional time to file the application.
6. Counsel for the defendant will require additional time to review and investigate
7. discovery and meet with the client to discuss the details prior to proceeding.
8. Denial of this request could result in a miscarriage of justice, and the ends of justice
9. served by granting this request outweigh the best interests of the public and the defendant
10. in a speedy trial.
11. The defendant is at liberty and does not object to the continuance.
12. This is the parties' first request to continue the Preliminary Examination date.
13. The additional time requested by this stipulation is excludable in computing the time
14. within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United
15. States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United
16. States Code, Section 3161(h)(7)(B)(i) and (iv).

17 DATED this 10th day of November, 2022

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19 JASON M. FRIERSON
United States Attorney

20 /s/ Edward G. Veronda
EDWARD G. VERONDA
Assistant United States Attorney

RENE L. VALLADARES
Federal Public Defender

/s/ Heidi Ojeda
HEIDI OJEDA, Esq.
Counsel for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,) Case No. 2:22-mj-00728-BNW
)
Plaintiff,) **Findings and Order on Stipulation**
)
v.)
)
LEONARDO RUIZ-GALLEGOS,)
)
Defendant.)
)

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The parties require additional time to discuss the potential for a Pre-Indictment negotiation.
 2. Defendant's retained counsel, barred in the State of California, will be applying in the District of Nevada to represent defendant as *pro hoc vice* counsel, to substitute current counsel. Defendant's retained counsel will need additional time to file the application.
 3. Counsel for the defendant will require additional time to review and investigate discovery and meet with the client to discuss the details prior to proceeding.
 4. The parties agree to this continuance.
 5. The defendant is at liberty and does not object to the continuance.
 6. This continuance is not sought for purposes of delay.
 7. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.

8. The Speedy Trial Act's indictment clock under 18 U.S.C. § 3161(b) is extended to the Preliminary Hearing date set below.
 9. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

THEREFORE, IT IS HEREBY ORDERED that the Preliminary Examination in the above-captioned matter currently scheduled for November 22, 2022 be vacated and continued to January 24, 2023 at 2:00 p.m.

DATED: November 14, 2022.

Brent Weller
UNITED STATES MAGISTRATE JUDGE